

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**TERESA BALLARD, as Personal
Representative of the Estate of
Evelyn Rose Cain,**

Plaintiff,

vs.

PATRICK K. CAIN,

Defendant.

8:11CV411

ORDER

This matter is before the court on the parties' Motion to Amend Scheduling Order for Progression of Case ([Filing No. 40](#)). The parties seek to continue the previously scheduled February 22, 2013, Final Pretrial Conference and other deadlines to explore settlement and complete discovery. For good cause shown, the motion is granted as set forth below,

IT IS ORDERED:

1. The parties' Motion to Amend Scheduling Order for Progression of Case ([Filing No. 40](#)) is granted.
2. The deadlines, including the trial setting, contained in the September 24, 2012, Order Setting Final Schedule for Progression of a Civil Case ([Filing No. 30](#)) are canceled.
3. The court will hold a telephone planning conference, rather than the Final Pretrial Conference, at 10:00 a.m. on February 22, 2013. Plaintiff's counsel shall initiate the conference with the undersigned magistrate judge and participating counsel.

Dated this 8th day of February, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge